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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/766,317	01/27/2004	M. Peter Marinkovich	33828/US/RFT/RMK

CONFIRMATION NO. 1212

32940

DORSEY & WHITNEY LLP  
 INTELLECTUAL PROPERTY DEPARTMENT  
 4 EMBARCADERO CENTER  
 SUITE 3400  
 SAN FRANCISCO, CA 94111

FORMALITIES LETTER

File 33828/us Atty OC000000013019367\*Due Date 8-22-2004Type Resp to Missing Parts Refs —

Date Mailed: 06/22/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figures(s) 1C.
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1C.

08/17/2004 FFANRA2 0000093 10766316  
 01 FC:2001 385.00 BP  
 02 FC:2051 65.00 BP  
 03 FC:2201 129.00 BP  
 04 FC:2202 207.00 BP

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)**

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$336** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### **SUMMARY OF FEES DUE:**

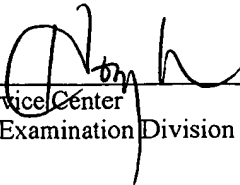
Total additional fee(s) required for this application is **\$786** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$336**
  - **\$129** for **3** independent claims over 3.
  - **\$207** for **23** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



PATENT  
Attorney Docket No. (468330-1810) 33828/US/RFT/RMK

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

MARINKOVICH

Serial No. 10/766,317

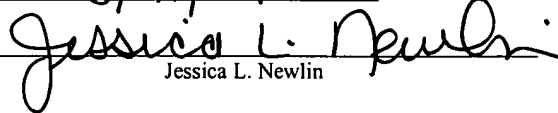
Filed: January 27, 2004

For: *Compositions and Methods for  
Inhibiting Squamous Cell  
Carcinoma*

Examiner: Not Assigned

Art Unit: 1634

**CERTIFICATE OF MAILING:** I hereby certify that this document is being sent via first class U.S. mail with sufficient postage addressed to: Mail Stop Missing Parts, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on

8/11/04  
  
Jessica L. Newlin

**Transmittal for Response to Notice to File Missing Parts**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This communication and preliminary amendment is in response to the Notice to File Missing Parts of Nonprovisional Application dated June 22, 2004, a copy of which is enclosed herewith. The response is filed on or before August 22, 2004, making this a timely filed response.

Applicant submits the following:

- 1) Copy of Notice to File Missing Parts of Nonprovisional Application,
- 2) Signed Declaration,

- 3) Check in the amount of \$786.00,
- 4) Application Data Sheet,
- 5) Power of Attorney,
- 6) Preliminary Amendment,
- 7) Drawings marked to show corrections,
- 8) Formal Drawings,
- 9) Sequence Listing (paper form and diskette), and
- 10) Return Post Card.

The Commissioner is authorized to charge any additional fees including extension fees, or other relief that may be required, or credit any overpayment to Deposit Account No. 50-2319 (Order No. (468330-1810) 33828/US/RFT/RMK).

Respectfully submitted,

DORSEY & WHITNEY LLP

Dated: 8/11/04

By: 

Four Embarcadero Center  
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San Francisco, California 94111-4187  
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Renee M. Kosslak, Reg. No 47,717 for  
Richard F. Trecartin, Reg. No 31,801  
Filed under 37 C.F.R. § 1.34(a)  
Customer No. 32940